

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA,

PLAINTIFF,

vs.

Case No. 3:10-00260-003
JUDGE HAYNES

AHMAD A. AHMAD (003)

DEFENDANT.

MOTION FOR HEARING PRIOR TO TESTIMONY OF CERTAIN
WITNESSES AND EXCLUSION OF TESTIMONY

ORDER
This motion is
GRANTED for the
reasons stated
in open
court.

Comes now the Defendant, Ahmad A. Ahmad, by and through his appointed counsel, and respectfully moves this Honorable Court for a jury out hearing prior to the testimony of Farhan Daud, Dahir Daud, and Khalid Noor. This motion is made in accordance with Federal Rules of Evidence, 401, 402, and 403.

Subscribed
12/16/12

In support of said motion, Mr. Ahmad states as follows:

1. According to the Government's most recently provided witness list, the Government intends to call Farhan Daud, Dahir Daud, and Khalid Noor as the sixteenth, seventeenth, and eighteenth witnesses in the trial.

2. The Court should exclude these witnesses from testifying because their testimony is not relevant to the issue on trial pursuant to F.R.E. 401 and 402. Moreover, even if their testimony is minimally relevant, that relevance is substantially outweighed by the potential for confusion of issues and prejudice to